

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
LAFAYETTE DIVISIONAT _____
ROBERT N. TRGOVICH, CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA M

JUN 26 2018

LORELLA LABUD, INDIVIDUALLY)
 AND AS GUARDIAN FOR MICHAEL)
 D. LABUD, A DISABLED PERSON)
)
 Plaintiff,)
)
 v.)
)
 J&C STYCK FARMS, INC., and)
 COLTON J. STYCK)
)
 Defendants.)

No. 4:18cv42

JURY DEMANDED

COMPLAINT

Plaintiff, Lorella LaBud (“Lorella”), individually and as Plenary Guardian on behalf of Michael LaBud (“Michael”), a disabled person, by her undersigned attorneys, complains of Defendants, J&C Farms, Inc. (“Styck Farms”), and Colton J. Styck (“Styck”), as follows:

1. Lorella and Michael are wife and husband, residing in Cook County, Illinois. On May 30, 2018, Lorella was appointed to be the plenary guardian of the estate and person of Michael by the Circuit Court of Cook County, Illinois.

2. Styck Farms is an Indiana corporation, located in Monticello, Indiana.
3. Styck is, on information and belief, an employee of Styck Farms.
4. Subject matter jurisdiction over this matter is proper under 28 U.S.C. § 1332.
5. Venue in this Court is proper under 28 U.S.C. § 1391(b)(2).
6. On November 22, 2017, Michael was operating a Peterbilt semi-truck and tractor.

Shortly before 3:00 p.m., he was travelling northbound on Highway 41 in Morocco, Indiana.

7. At that same time, Styck was operating a Mack semi-truck and trailer owned by Styck Farms. Styck was travelling southbound on Highway 41 in Morocco, Indiana. Styck

attempted to turn left at the intersection of U.S. Highway 41 and SR 114. Styck pulled his vehicle into the northbound lane of traffic, without yielding, causing the vehicle he was operating to collide with the vehicle being operated by Michael.

8. On information and belief, Styck was operating the Styck Farms semi-truck within the scope of his employment with Styck Farms.

9. As a result of the collision, Michael suffered severe and life-changing injuries, including a traumatic head injury and multiple broken bones.

10. The direct and proximate cause of the November 22, 2017, collision was the negligence of Defendant Styck by, among other things, the following:

- A. Failing to keep a proper lookout;
- B. Failing to maintain control of the vehicle he was operating;
- C. Failing to yield the right of way;
- D. Travelling at an unsafe speed;
- E. otherwise operating his vehicle negligently.

COUNT I

11. Lorella, as plenary guardian of the estate and person of Michael, realleges and incorporates by reference as though fully set forth herein, the allegations of Paragraphs 1 through 10 above as the allegations of this Paragraph 11.

12. As a direct and proximate result of Defendants' negligence described above, Michael suffered severe and permanent injuries both externally and internally and was and will be hindered and prevented from attending to his usual duties and affairs and has lost and will in the future lose the value of that time. Michael also suffered great pain and anguish both in mind and body and will in the future continue to suffer. Michael further expended and became liable

for and will expend and become liable for large sums of money for medical care and services endeavoring to become healed and cured of his injuries.

WHEREFORE, the Plaintiff, Lorella, as guardian of the estate of Michael, prays for judgment against the Defendants Styck and Styck Farms in an amount in excess of One Hundred Thousand Dollars (\$100,000.00), with costs, and for any other relief this Court deems just.

COUNT II

13. Lorella, individually, realleges and incorporates by reference as though fully set forth herein, the allegations of Paragraphs 1 through 10 above as the allegations of this Paragraph 13.

14. As a direct and proximate result of the actions of Defendants Styck and Styck Farms, Lorella has suffered the loss of services of her husband and has been deprived of his support, society, companionship and consortium.

WHEREFORE, Plaintiff Lorella prays for judgment against Defendants Styck and Styck Farms in an amount in excess of One Hundred Thousand Dollars (\$100,000.00), with costs, and for any other relief this Court deems just.

Respectfully Submitted,

By: /s/Peter M. King

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